



COUNTY OF APPOMATTOX
Department of Community & Economic Development
Post Office Box 787
Appomattox, Virginia 24522

§ 170-23 APPLICANT'S AFFIDAVIT
ZONING APPROVAL FOR SECOND DWELLING ON ONE LOT
IN A-1 AGRICULTURAL DISTRICT

In order to site a second dwelling on a lot zoned A-1 Agricultural District, the following requirements shall be met:

- The second dwelling must be for the use of a family member as a primary dwelling. Family members include: parents, grandparents, great-grandparents, siblings, aunts, uncles, great-aunts, great-uncles, stepparents or stepchildren, and any of the above relatives by marriage ("in-laws").
- Second dwellings that are no longer occupied by family members of the property owner must be removed from the property immediately, or the property must be subdivided so that each dwelling exists on its own platted lot in compliance with all zoning and subdivision requirements.
- A building permit for the second dwelling must be obtained and inspections conducted for code compliance. Health approval must also be obtained by the Health Department prior to the issuance of this zoning permit or building permit.

I, _____, being duly sworn, know and understand the requirements of placing a second dwelling on my property per § 170-23 of the Appomattox County Zoning Ordinance. In doing so, I am aware of the use restrictions placed on this second dwelling. I also understand that if this dwelling is used in violation of the provisions of § 170-23, I will be subject to legal action by the County of Appomattox.

Applicant's Signature

Date

Mailing Address

Phone Number

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public

Commission Expires

Division of Planning
7/29/2007

Department of Community and Economic Development
§ 170-23 STATEMENT OF NONOBJECTION
TWO DWELLINGS ON ONE LOT IN A-1 AGRICULTURAL DISTRICT

_____ has applied for a zoning permit to construct a second dwelling on a parcel located on _____, Tax Map # _____.

Approval of this permit will be in accordance with § 170-23 of the Appomattox County Zoning Ordinance for second dwellings in the A-1 Agricultural District, and is subject to the following provisions:

1. The second dwelling must be for the use of a family member as a primary dwelling. Family members include: parents, grandparents, great-grandparents, siblings, aunts, uncles, great-aunts, great-uncles, stepparents or stepchildren, and any of the above relatives by marriage ("in-laws").
2. Second dwellings that are no longer occupied by family members of the property owner must be removed from the property immediately, or the property must be subdivided so that each dwelling exists on its own platted lot in compliance with all zoning and subdivision requirements.
3. Zoning approval is contingent upon the receipt of signed statements of nonobjection from all property owner(s)/resident(s) adjacent to the parcel in question. In the event that one or more adjacent property owners/residents object or refuse to sign the statement of nonobjection, the zoning administrator will not have the authority to approve the permit as a permitted use.
4. Approval of this zoning permit application is unique to this particular parcel and does not constitute a change in zoning classification for this parcel or surrounding parcels.

By checking the first box below and signing this statement of non objection as an adjacent property owner/resident, you are stating that you have no dispute over the zoning administrator's approval of this permit application. In the event that you do have questions or concerns, please contact John Spencer, Zoning Administrator, at (434) 352-8183 between the hours of 8:00 AM and 4:30 PM weekdays.

I have no objection to this zoning permit application.

I object to this zoning permit application.

(Signature)_____

(Date) _____

' 170-23 Second dwelling on lot.

One (1) additional structure may be permitted as a single-family dwelling on the same lot or parcel of land as that of the main dwelling provided that the following requirements are met.

A. Zoning districts where permitted.

- 1. R-2 General Residential District*
- 2. A-1 Agricultural District, subject to the following requirements:*
 - (a) The second dwelling must be for the use of a family member as a primary dwelling. Family members include: parents, grandparents, great-grandparents, siblings, aunts, uncles, great-aunts, great-uncles, stepparents or stepchildren, and any of the above relatives by marriage ("in-laws").*
 - (b) Second dwellings that are no longer occupied by family members of the property owner must be removed from the property immediately, or the property must be subdivided so that each dwelling exists on its own platted lot in compliance with all zoning and subdivision requirements.*
 - (c) A statement of nonobjection must be provided signed by all adjacent property owners and/or residents.*

B. Lot requirements.

- 1. Legal conforming lots for second dwellings must contain sufficient lot area, lot width, lot coverage, and must meet minimum yard requirements so that if the lot is ever divided into two lots, no nonconforming lot or building is created.*
- 2. The zoning administrator may require additional setbacks in order to ensure that the second dwelling is sited to make subdivision of the lot possible.*
- 3. Each second dwelling must have access to a public street by means of a passageway open to the sky at least fifteen (15) feet in width.*

C. Well and septic systems. Applicants for second dwellings must receive health department approval for a well and septic system prior to receiving zoning approval. Each dwelling on a lot must be served by individual well and septic systems. Wells may be shared by the two dwellings with health department approval.

D. Prohibitions on third dwellings. Three or more dwellings on a single lot are not permitted in Appomattox County in any zoning district. An exception to this subsection are multi-family dwellings as provided in the R-2 district and §170-88.

E. Changes in use.

- 1. A structure permitted for a use other than residential use may be changed to a residential use as a second dwelling in the R-2 and A-1 districts, provided that the structure meets the requirements of the Virginia Uniform Statewide Building Code for that use. In the case of parcels zoned A-1, such structures are exempt from the requirements of §170-23(A)(2).*
- 2. A structure permitted for residential use may be changed to an accessory use in the R-2 and A-1 districts, provided that the structure meets the requirements of the Virginia Uniform Statewide Building Code for that use. Dwelling uses in a structure permitted for accessory use are strictly prohibited.*

F. Guest houses. A second dwelling may be used as a guest house for relatives and persons unrelated to the property owner so long as all other requirements provided in this section are met. The term "guest house" means a structure that provides temporary accommodations for visitors to the main dwelling, and shall not be construed to mean a primary or secondary residence for persons related or not related to the property owner.

As amended by Board of Supervisors December 17, 2001.